

**REMARKS**

Claims 1, 3-20 and 22-30 are pending in this application. By this Amendment, claims 1 and 20 are amended. No new matter is added by these amendments. Reconsideration of the Application based on the above amendments and the following remarks is respectfully requested.

The Office Action, in paragraph 2, rejects claims 1, 3-5, 9-12, 14, 19-20, 22-24 and 27-30 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0003872 to Brinkley et al. (hereinafter "Brinkley"), in view of WO 01/03437 to Albanesi et al. (hereinafter "Albanesi"). The Office Action, in paragraph 3, rejects claims 6-8 under 35 U.S.C. §103(a) as being unpatentable over Brinkley in view of Albanesi and further in view of U.S. Patent No. 5, 743,336 to Lee. The Office Action, in paragraph 4, rejects claims 13 and 15-17 under 35 U.S.C. §103(a) as being unpatentable over Brinkley in view of Albanesi and further in view of U.S. Patent No. 6,393,297 to Song. The Office Action, in paragraph 5, rejects claims 18, 25 and 26 under 35 U.S.C. §103(a) as being unpatentable over Brinkley in view of Albanesi and further in view of U.S. Patent Application Publication No. 2004/0008253 to Monroe. The Office Action, in paragraph 6, rejects claims 23 and 24 under 35 U.S.C. §103(a) as being unpatentable over Brinkley in view of Albanesi and further in view of Monroe. The Applicants respectfully traverse these rejections.

The Office Action asserts that Brinkley teaches the many features of at least independent claims 1 and 20. However, Brinkley does not teach at least one portable control and display unit that is usable onboard an aircraft to transmit and receive (1) data communication, (2) voice communication, and (3) video communication; and an Aircraft Communication and Reporting System (ACARS) transceiver located on the aircraft to receive from and transmit to the portable control and display unit (1) data communication, (2) voice

communication, and (3) video communication, as positively recited in amended claims 1 and 20.

The subject matter of the pending claims uses the commercially available Aircraft Communication Addressing and Reporting System, ACARS, which was first introduced in the late 1980's and utilizes either VHF, HF or satellite voice radios. ACARS is a digital data link system transmitted via radio allowing ACARS equipped aircraft to communicate with (1) Air Traffic Control (ATC), (2) Airline Operational Control (AOC), and (3) Airline Administrative Control. Communications is accomplished via telex-formatted messages. While a gross simplification, ACARS can be equated to e-mail for the equipped aircraft where each equipped aircraft is provided a unique address in the system. Message traffic (e-mail) is routed within the system based on the unique addresses. The subject matter of the pending claims is directed to use of data, voice and video messaging via the ACARS system.

The Office Action asserts that Brinkley teaches data, voice and video communications via ACARS. The specific reference referred to in the Office Action, page 5, paragraph [0056], lists cell phones as being a wireless hand-held device. However, the reference specifically refers to intranet web-connected cell phones for use in a user-defined infrastructure. Thus, these portable devices are not part of ACARS, but a user defined system, which is a separate component of the avionics package. As illustrated in Fig. 1 of Brinkley, ACARS is only a single element of the overall aircraft avionics system that provides telex-formatted messages only. Therefore, Brinkley cannot reasonably be considered to teach at least one portable control and display unit that transmits and receives (1) data communication, (2) voice communication, and (3) video communication; and an ACARS transceiver located on the aircraft to receive from and transmit to the portable control and display unit (1) data communication, (2) voice communication, and (3) video

communication, as ACARS as utilized by Brinkley, does not possess these features, as are positively recited in independent claims 1 and 20.

The applied prior art references of Albanesi, Lee, Song and/or Monroe, as applied to the subject matter of the pending claims, in varying combinations with Brinkley, do not overcome the above-identified deficiency in the application of Brinkley to the subject matter of the pending claims.

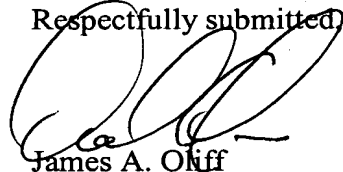
For at least the above reason, Brinkley, in any permissible combination with the other applied prior art references, cannot reasonably be considered to teach, or to have suggested, the combinations of all of the features recited in at least independent claims 1 and 20. Further, claims 3-19 and 22-30 also would not have been suggested by the asserted combinations of applied prior art references for at least the respective dependence of these claims directly or indirectly on allowable independent claims 1 and 20, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 1, 3-20 and 22-30 under 35 U.S.C. §103(a) as being unpatentable over the varying combinations of applied prior art references are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3-20 and 22-30 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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